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C O N F I D E N T I A L SECTION 01 OF 02 AMMAN 005626

SIPDIS

TREASURY FOR LEVEY/ZARATE

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SUBJECT: AML LAW SNAFU MAKES ITS SWIFT PASSAGE MORE
DIFFICULT

REF: AMMAN 2328

Classified By: Charge d'Affaires David Hale for reasons 1.4 (b), (d), and (e)

11. (C) SUMMARY: The failure of the GOJ to place a draft anti-money laundering law on the agenda for the extraordinary session of Parliament beginning July 14 may mean that the bill's consideration will be delayed until the start of the next regular session of Parliament. Whenever it is considered, its identification with USG interests will likely mean that its progress will be slow at best. The lack of an AML law will continue to pose problems for USG-GOJ law enforcement and counterterrorism cooperation. END SUMMARY.

12. (C) In an astonishing foul-up that GOJ interlocutors are still struggling to explain, the GOJ failed to place on the agenda of Parliament's extraordinary summer session a draft anti-money laundering law whose passage has been a top USG priority. The AML bill, which was originally presented to Parliament on March 20, 2005, was not voted on by the body before the expiration of the session on March 31, 2005 (reftel). At that time, the Embassy had received mixed messages from GOJ interlocutors on whether the bill would be placed on the agenda for the extraordinary summer session; more recently, Charge had received assurances from King Abdullah, Prime Minister Adnan Badran, Foreign Minister Farouq Qasrawi, Finance Minister Adel Kodah, and Justice Minister Abed Shakhaneh that the bill would be on the agenda.

13. (C) Once we confirmed that the bill was not on the agenda for the July 14 session, Charge contacted Deputy Prime Minister Marwan Muasher, Finance Minister Kodah, and the Palace to determine why the bill had not been placed on the agenda and what could be done to rectify the situation. The mistake appears to have been just that - a mistake. The Royal Palace proposed sending an amendment to parliament adding AML to the agenda as soon as the King (who is the only person constitutionally authorized to put items on the agenda for an extraordinary session of Parliament) returns from his visit to Africa. While there is some question as to the legality of placing a law on Parliament's agenda after a parliamentary session has already convened, the Palace assured Charge that the AML bill would be put on the agenda immediately upon the King's return and that there would be sufficient time in the extraordinary session for the bill to be given the consideration necessary to be passed.

14. (C) DPM Muasher, on the other hand, was more pessimistic, noting that the session was too short for the law to be given due consideration, and that even if it was brought up, it would likely suffer the same fate that the Article 98 law met in this morning's session of Parliament (septel). If Muasher is correct, the law will likely not have a serious chance of passing through Parliament before the beginning of the next ordinary session of Parliament, which will take place no earlier than October and will likely be delayed until after November 10, the end of the Eid al-Fitr holiday. When Charge informed Planning Minister Suhair Al-Ali, she was also clearly shocked by the absence of the AML item in the agenda. (She pulled out her copy insisting it was included, only to find it wasn't.) Apart from U.S. interest in the bill, al-Ali stressed that AML was a critical piece of Jordan's reform agenda and a counterpart of the draft anti-corruption law. She pledged to work on getting the draft back on the agenda.

15. (C) COMMENT: Despite Muasher's pessimistic assessment, the government is committed to the passage of this bill and plans to push for its quick consideration. Jordan's current lack of an AML law is an obstacle to USG-GOJ cooperation on counterterrorism. The lack of such a law makes it virtually impossible for the USG to obtain bank records of individuals and entities suspected of financial crimes including financing of terrorism. Also awaiting the passage of an AML bill is the Central Bank of Jordan's financial intelligence unit, which would receive its legal basis from the new AML law. USAID and FinCEN have devised a training program for this unit-in-waiting, which they will activate as soon as the FIU is stood up - but the FIU cannot be stood up before the passage of the AML law.

16. (C) COMMENT CONT'D: Based on what they have told us,

everyone in Jordan,s banking community from the Central Bank governor to the chairmen and CEOs of virtually every commercial bank active in Jordan supports the idea of an anti-money laundering law. The passage of the current AML bill through the Cabinet had faced initial delays due to perceptions by some Cabinet ministers that the law would cramp investment and violate rights to privacy. These objections might make it more difficult to pass the current AML bill; more likely, however, the identification of the AML bill with USG interest will likely prove to be its biggest weakness, whether it comes before Parliament in this extraordinary session or in the ordinary session that follows it. END COMMENT.
HALE